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Board of Health Minutes 1/13/2010

Board of Health Meeting Minutes
Wednesday, January 13, 2010
Selectmen's Hearing Room, Town Hall
730 Massachusetts Avenue
5:30pm

Board Members in Attendance: Dr. Marie Walsh Condon, Mr. Gregory Leonardos and Dr. Michael Fitzpatrick (Chair)
Staff in Attendance: Christine Connolly, Director of Health and Human Services, Natasha Waden, Health Inspector, and Jim Feeney, Health Inspector

The December 2, 2009 meeting minutes were accepted as written.

Inspector Waden reported that the hearing requested by Sabatino's had been withdrawn by the owner's attorney. In place of said hearing, Waden gave a status update on the case. Waden stated that a letter on December 28 was sent to the owner, stating that a 2010 permit to operate a food establishment would not be issued unless proof of compliance with the Board's order, issued on November 24, 2009, was submitted to the office by December 31, 2009. This letter prompted the owner's attorney to request a hearing with the Board to discuss this decision. In response, a letter stating that a temporary permit would be issued until a hearing would be held with the Board of Health on January 13, 2010 and a decision was rendered. During this process the owner's attorney filed, with the Middlesex Superior Court, a motion for a stay pending administrative appeal for the order issued by the Board on November 24, 2009. Waden reported the hearing for the motion of a stay was heard on January 7, 2010 at Middlesex Superior Court. Based on the results of an inspection report that was conducted on January 6, 2010, which revealed continuing violations of concern for public health and safety, the motion for a stay was denied by Judge Murtagh. On January 11, 2010 a signed contract with a Food Consultant to conduct training and inspections as outlined in the Board of Health order, had been received by this office. Additionally, a letter dated January 12, 2010 from the Owner's attorney stated that the owner would be withdrawing his request for a hearing scheduled for January 13, 2010.

Director Connolly reported that the Board of Health Office has held over 17 flu clinics, and has vaccinated 4112 residents with H1N1 vaccine, 2,380 residents with seasonal influenza vaccine, and 200 residents with pneumonia vaccine. H1N1 clinics were held at all public schools in Arlington and a public clinic open to all Arlington residents was held at the High School on December 30, 2009. Connolly stated that two more H1N1 clinics have been scheduled for Friday February 5th from 2:00PM to 4:00PM and Saturday February 6th from 10:00AM-12:00Noon. Both Clinics will be held at the Arlington Town Hall and are open to all Arlington residents. Additionally, Public Health Nurse Diane Coste and Council on Aging Nurse Pat Falwell will be organizing an Employee Health clinic in March or April with student Nurses from UMass Boston nursing program. The clinic will offer town employees an opportunity to get screened for cholesterol, blood pressure, and more.

Inspector Waden led a discussion with the Board in regards to the annual renewal process of variances granted to food establishments. Waden apologized for not being able to schedule these renewal hearings for this meeting. The Board requested to move these hearings to the next Meeting.

Director Connolly presented a draft copy of the Hen permit application to Board members for review. Connolly explained this draft is currently under review with Town Counsel to ensure that it complies with the regulations approved at Town Meeting. The application steps include a submittal of a site plan review application with a one-time fee of \$150.00. Once a completed application has been submitted the Health Department staff will review the application and conduct a site walk of the property. After this, a hearing will be held with the Board who will make the decision on whether to approve or deny the application based on all requirements of the town bylaw. Upon the Board's approval, construction of the coop may begin. A final inspection will be conducted by Health Department staff once the coop has been constructed and prior to the keeping of hens. Once the Health Department staff verifies that construction was conducted in accordance with town bylaws, the applicant must submit the \$100 permit fee for keeping of hens. Once the permit has been issued, the applicant may begin keeping hens. The permit will expire December 31st of every year. A renewal application must be completed

and submitted with said fee before December 31st of each year. There will be a \$100 re-instatement fee for those who renew after said date. Additionally, Health Department staff will conduct annual inspections; failure to meet the requirements at the initial inspection will result in a re-inspection and a \$100 re-inspection fee. Applications will be available to the public by February 1st.

Inspector Waden informed the Board of 1 food establishment and 2 residential kitchen closures: Punjab Food and Spice, You Can Eat This Bakery, and Wild Flower Cake Company. Additionally, Buona Vita located at 450 Massachusetts Avenue is now open under new ownership. Andrina's Pizzeria of Arlington will be opening up at 1060 Massachusetts Avenue by the end of the month. Lastly, a plan review application has been submitted to the Board of Health Office for a Mexican restaurant to be located at 1312 Massachusetts Avenue.

Director Connolly presented the Board with a draft copy of potential Board of Health meeting dates. Meeting dates were approved and will be posted at the Clerks office.

Meeting Adjourned at 6:30pm.